

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

HOPE VIGIL-SHUCK,

Plaintiff,

v.

CRAIG SQUIRE,
CORNERSTONE CARGO, LLC,

Defendants

CIVIL ACTION FILE
NO. _____

Jury Trial Demanded

DEFENDANTS' NOTICE OF REMOVAL

TO: The Honorable Judges of the United States District Court for the Northern District of Georgia, Atlanta Division:

COME NOW, **DEFENDANTS**, and file the following Notice of Removal to the United States District Court, showing the Court as follows:

1. Plaintiff Hope Vigil-Shuck (hereinafter "Plaintiff"), a Georgia resident and citizen, filed this action in the State Court of Gwinnett County, on January 18, 2023, against Craig Squire, and Cornerstone Cargo, LLC. That action is designated in that court as Civil Action File No.: 23-C-00366-S6. A true and correct copy of the Complaint is included in the State Court file, and attached hereto as Ex. "A."

2. Plaintiff's Complaint, *inter alia*, alleges that Defendants are liable to Plaintiff for negligently causing Plaintiff's injuries that were sustained from an accident which occurred on June 6, 2022. (See Plaintiff's Complaint, Ex. "A," ¶¶ 11, 23).

3. Plaintiff is a Georgia resident and, thus, a citizen of Georgia. See *Gilbert v. David*, 235 U.S. 561, 569 (1915) ("If a person is domiciled in [a particular state], he is a citizen of that state within the meaning of the Judicial Code."). See also Ex. A, ¶ 1.

4. Defendant Cornerstone Cargo, LLC is now, and was at the commencement of Civil Action File No.: 23-C-00366-S6, and has, at all times since, been a foreign company organized and existing under the laws of the State of Illinois with its principal place of business in Illinois. (See Illinois Secretary of State Records, attached hereto as Ex. "B"). Defendant Cornerstone Cargo, LLC is a citizen of Illinois.

5. Defendant Craig Squire was at the commencement of Civil Action File No.: 23-C-00366-S6, and at all times since, has been a citizen of the State of Florida. (See Plaintiff's Complaint, Ex. "A," ¶ 2; see also Police report, attached hereto as Exhibit "C"). See also *Gilbert v. David*, 235 U.S. 561, 569 (1915).

6. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendants pursuant to the provisions of 28 USC §§ 1332 and 1441 et seq. There is complete diversity among Plaintiff and the identified, named Defendants: the Parties were not residents of the same state at the time of filing of the Complaint, and the amount in controversy exceeds \$75,000, exclusive of interest and costs, as statutorily required. See 28 USC §§ 1332 and 1441 et seq.

7. Defendants file herewith a copy of all process, pleadings, and orders received by Defendants in Civil Action File No.: 23-C-00366-S6, pursuant to 28 USC §1446, including a copy of the Summons and Complaint in State Court of Gwinnett County, State of Georgia, marked as Ex. “A.”

8. Defendants attach hereto a copy of Defendants’ Notice of Removal which has been sent for filing in the State Court of Gwinnett County, State of Georgia, marked as Ex. “D.”

9. Along with this Notice, Defendants are contemporaneously filing their Brief in Support of Notice of Removal.

10. All Defendants agree to this removal.

Respectfully submitted this 17th day of February 2023.

HALL BOOTH SMITH, P.C.

/s/ Sandro Stojanovic

SCOTT H. MOULTON

Georgia State Bar No. 974237

SANDRO STOJANOVIC

Georgia State Bar No. 473114

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CERTIFICATE OF COMPLIANCE

The foregoing **DEFENDANTS' NOTICE OF REMOVAL** is double spaced in 14-point Times New Roman font and complies with the type-volume limitation set forth in Local Rule 7.1.

Respectfully submitted this 17th day of February 2023.

HALL BOOTH SMITH, P.C.

/s/ Sandro Stojanovic _____

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CERTIFICATE OF SERVICE

I hereby certify that on this day I have served a copy of the within and foregoing **DEFENDANTS' NOTICE OF REMOVAL** upon all parties to this matter by depositing same in the U.S. Mail and/or via e-file and serve as required by law:

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Counsel for Plaintiff

This 17th day of February 2023.

HALL BOOTH SMITH, P.C.

/s/ Sandro Stojanovic
SCOTT H. MOULTON
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